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U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 5, 2008

BY FACSIMILE

Honorable Denny Chin
United States District Judge
Southern District of New York
500 Pearl Street, Suite 1020
New York, New York 10007

Re: United States v. Joseph Borges
07 Cr. 1036 (DC)

Dear Judge Chin:

The Government submits this letter jointly with the defendant and requests an adjournment of both the plea currently scheduled for May 7, 2008, at 2 p.m., and the trial, which is scheduled to begin on May 19, 2008. Both parties spoke to the courtroom deputy, David Tam, last week concerning this matter.

Defendant's counsel has informed me that the defendant plans to plead guilty to the Indictment. However, the defendant is presently under strict quarantine in his unit at the Metropolitan Detention Center due to an outbreak of chicken pox. Defendant's counsel is unable to visit the defendant and the defendant cannot be produced to Court. The quarantine began on April 11, 2008, and is not scheduled to end until at least May 18, 2008.

Defendant's counsel has indicated that even were the defendant inclined to proceed to trial, defendant's counsel would not be able to proceed on May 19, 2008, due to the quarantine. As a result, the Government and defendant jointly request an adjournment of the trial and the scheduling of a plea date at some time convenient to the Court, after the quarantine is scheduled to end on May 18, 2008.

The conference and trial are adjourned.
The Court will take Mr. Borges's plea
on May 21, 2008, at 11:30 pm. If
he does not plead guilty, the Court
will hold a conference at that
time to reschedule the trial.

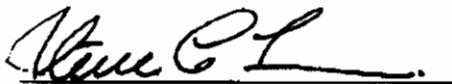
The time until then is excluded
in the interest of justice & in light of the parties' discussion.
SO ORDERED
JPD 5/6/08

Additionally, the Government requests an exclusion of time from today until the date scheduled by the Court for the defendant's plea, in order to permit the Government and defendant to reach a disposition. Defendant's counsel consents to this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:



Steve C. Lee
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cc: Peter Tilem, Esq.